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November 2, 2007

BY HAND

MEMO ENDORSED

Hon. William H. Pauley III
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2210
New York, New York 10007

Re: S.L. and A.L., on behalf of A.L. v. New York City Dept. of Education
07 Civ. 8786 (WHP)

Dear Judge Pauley:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel Michael A. Cardozo. I write on behalf of defendant Department of Education ("DOE") to respectfully request a 30 day extension of time for DOE to respond to the complaint, from November 5, 2007 until December 5, 2007. The additional time is necessary in order to explore the possibility of early resolution.

Plaintiffs herein allege that they are entitled to attorney's fees in that they substantially prevailed at an administrative hearing relating to the educational placement of their child, A.L. To the extent that the record demonstrates plaintiffs were in fact the prevailing party, the DOE does not dispute that counsel is entitled to reasonable fees. In fact, the DOE has a process for obtaining fees in this context. Plaintiffs' counsel has been previously informed of this process (and in fact, has previously utilized this process), but has instead opted to seek relief from this Court in the first instance.

In any event, on October 31, 2007, my colleague Alan Rosinus contacted plaintiffs' counsel to request that he provide defendants with copies of his billing records. Plaintiffs' counsel has not yet responded. An extension of time will allow for such records to be transmitted, and for defendant's counsel to analyze plaintiffs' request and explore the possibility of settlement.

This is the first request for an extension of time in this matter. As stated above, defendant's counsel has contacted plaintiffs' counsel by telephone and by e-mail with a request to consent to this adjournment. Plaintiffs' counsel has not responded.

Thank you for your consideration of this request for an extension of time to respond to the complaint until December 5, 2007.

Respectfully,



Abigail Goldenberg (AG 4378)
Assistant Corporation Counsel

cc: By Fax
Mayerson & Associates
Attn: Gary S. Mayerson
330 West 38th Street, Suite 600
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Application granted.
SO ORDERED:


WILLIAM H. PAULEY III U.S.D.J.

11/8/07